PATENT/OFFICIAL

**Application No.: 10/084,092** 

Docket No.: 4066 D1/consilium/consilium

107262.169 US1

**REMARKS** 

In the specification, the locations of the "GOVERNMENT RIGHTS IN THE

INVENTION" section and the "RELATED APPLICATIONS" section have been swapped in

order ensure that the reference to prior application is the first sentence in the application, per the

Examiner's request.

Having amended claims 13, 28 and 66, claims 13-24, 28-34, 48-55 and 66-70 remain

pending in the present application. Applicant believes no issue of new matter should arise and

entry of the amendment is respectfully requested.

Rejection under second paragraph of 35 U.S.C. §112

Claims 28-34 and 66-69 are rejected under 35 USC §112, second paragraph, as being

indefinite. Specifically, the Examiner notes that the limitation "said one or more framework

software components" in claim 28 and lacks sufficient antecedent basis. Claim 28 has been

amended to provide antecedent basis for the limitation and is no longer indefinite.

Claims 29-34 depend on claim 28 either directly or indirectly and are deemed to be

allowable on the basis of the amendment to claim 28.

The Examiner further notes that the limitation "said one or more digitally coded

framework software components" in claim 66 and lacks sufficient antecedent basis. Claim 66

has been amended to provide antecedent basis for the limitation and is no longer indefinite.

Claims 67-69 depend on claim 66 either directly or indirectly and are deemed to be

allowable on the basis of the amendment to claim 66.

Rejection under the judicially created doctrine of obviousness-type double patenting

Claims 13-24, 28-34, 48-55 and 66-70 are provisionally rejected under the judicially

created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11,

36-47, 56-65, and 70-125 of copending allowed Application No. 09/363,966 in view of Tan et al.

(US Patent Number 6,263,255).

-10-

US1DOCS 5793727v1

Application No.: 10/084,092 PATENT/OFFICIAL

Docket No.: 4066 D1/consilium/consilium

107262.169 US1

Applicants respectfully request that the Examiner acknowledge the Terminal Disclaimer filed concurrently herewith.

## **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to deposit account no. 08-0219. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to deposit account no. 08-0219.

Respectfully submitted,

WILMER CUTLER PICKERING HALE AND DORR LLP

Scott M. Alter

Registration No. 32,879

1875 Pennsylvania Avenue, N.W.

Washington, DC 20006

Tel: (202) 663-6011 Fax: (202) 663-6363

Date: 9/271

SMA:cs 107262.169 US